

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims

Claim 1 (currently amended). A modified monocot nucleic acid, wherein the wild type form of said monocot nucleic acid encodes a ribosomal L3 protein and wherein a host transformed with said modified nucleic acid is resistant to trichothecene mycotoxins, wherein the modification encodes a single amino acid substitution of Cys for Trp at position 258 (~~based on the amino acid numbering of the rice protein~~) relative to SEQ ID NO:3

Claims 2-4 (canceled).

Claim 5 (previously presented). The modified nucleic acid of claim 1, wherein the monocot nucleic acid encoding the ribosomal L3 protein nucleic acid is selected from the group consisting of: a corn nucleic acid, a sorghum nucleic acid, a wheat nucleic acid, a barley nucleic acid and an oat nucleic acid.

Claim 6 (currently amended). The modified nucleic acid of claim 5, wherein the nucleic acid has a sequence which will encode the amino acid sequence selected from the group consisting of SEQ ID NO:14, SEQ ID NO:15, SEQ ID NO:16, SEQ ID NO:17 and SEQ ID NO:18, with the sequence encoding a cysteine at amino acid position 258 relative to SEQ ID NO:3.

Claim 7 (previously presented). A cloning vector containing the modified monocot nucleic acid as defined in claim 1.

Claims 8-9 (canceled).

Claim 10 (previously presented). The cloning vector of claim 7, wherein the monocot nucleic acid encoding the ribosomal L3 protein is selected from the group consisting of: a corn nucleic acid, a sorghum nucleic acid, a wheat nucleic acid, a barley nucleic acid, and an oat nucleic acid.

Claim 11 (currently amended). The cloning vector of claim 10, wherein the nucleic acid has a sequence which will encode the amino acid sequence selected from the group consisting of SEQ ID NO:14, SEQ ID NO:15, SEQ ID NO:16, SEQ ID NO:17 and SEQ ID NO:18, with the sequence encoding a cysteine at amino acid position 258 relative to SEQ ID NO:3.

Claim 12 (currently amended). ~~A transformed plant transformed~~ A plant transformed with the modified monocot nucleic acid of claim 1, wherein said transformed plant is resistant to infection by *Fusarium* species which produce trichothecene mycotoxins.

Claims 13-14 (canceled).

Claim 15 (previously presented). The plant of claim 12, wherein the nucleic acid encoding the ribosomal L3 protein is selected from the group consisting of a corn nucleic acid, a sorghum nucleic acid, a wheat nucleic acid, a barley nucleic acid and an oat nucleic acid.

Claim 16 (currently amended). The plant of claim 15, wherein the nucleic acid has a sequence which will encode the amino acid sequence selected from the group consisting of SEQ ID NO:14, SEQ ID NO:15, SEQ ID NO:16, SEQ ID NO:17 and SEQ ID NO:18, with the sequence encoding a cysteine at amino acid position 258 relative to SEQ ID NO:3.

Claim 17 (currently amended). ~~Seeds from a transformed plant~~ Transformed seeds from the plant as defined in claim 12.

Claims 18-19 (canceled).

Claim 20 (currently amended). ~~Seeds from a transformed plant~~ Transformed seeds from the plant as defined in claim 15.

Claim 21 (currently amended). ~~Seeds from a transformed plant~~ Transformed seeds from the plant as defined in claim 16.

Claim 22 (currently amended). A method of increasing resistance to *Fusarium* species infestation by transforming a plant with the modified nucleic acid as defined in claim 1, wherein the plant transformed with said nucleic acid has increased resistance to trichothecene mycotoxins and wherein said method comprises the steps of:

providing a the modified nucleic acid and
transforming a plant with said nucleic acid;

wherein the *Fusarium* species is selected from the group consisting of *F. graminearum*, *F. sambucinum*, *F. poae*, *F. sporotrichioides*, *F. culmorum* and *F. crookwellense*.

Claim 23 (canceled).